



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS' REGULAR MEETING

April 3, 2002

REVISED AGENDA

A meeting of the Bay Area Air Quality Management District Board of Directors will be held at 9:30 a.m. in the 7th floor Board room at the Air District headquarters, 939 Ellis Street, San Francisco, California.

Questions About an Agenda Item

The name and telephone number of the appropriate staff person to call for additional information or to resolve concerns is listed for each agenda item.

Meeting Procedures

The public meeting of the Air District Board of Directors begins at 9:30 a.m. The Board of Directors generally will consider items in the order listed on the agenda. However, any item may be considered in any order.

After action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

BOARD OF DIRECTORS' REGULAR MEETING

REVISED AGENDA

WEDNESDAY
April 3, 2002
9:30 A.M.

BOARD ROOM
7TH FLOOR

CALL TO ORDER

Opening Comments
Roll Call
Pledge of Allegiance

Randy Attaway, Chairperson
Clerk of the Boards

PUBLIC COMMENT PERIOD

Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3
Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 939 Ellis Street, San Francisco, CA, at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Board's subject matter jurisdiction. Speakers will be limited to five (5) minutes each.

CONSENT CALENDAR (ITEMS 1 – 5)

Staff/Phone (415) 749-

1. Minutes of March 20, 2002

M. Romaidis/4965

mromaidis@baaqmd.gov

2. Communications

B. Norton/5052

exec@baaqmd.gov

Information only

3. Report of the Advisory Council

R. Sawyer/4962

rsawyer@me.berkeley.edu

4. Execution of Budget Transfer in Excess of \$25,000

W. Tanaka/5066

wtanaka@baaqmd.gov

Pursuant to the District Administrative Code Division II, Section 3.3 (a) and (e) of the District's Administrative Code, Fiscal Policies and Procedures staff requests that the APCO be authorized to transfer \$50,000 from the General Reserve to Program 104 of the Executive Officer budget. This transfer will fund the salary and benefits of the Board appointed interim CEO/Executive Secretary position.

5. Notice of Purchase Orders in Excess of \$20,000

W. Tanaka/5066

wtanaka@baaqmd.gov

Pursuant to Division II, Section 4.3 of the District's Administrative Code, Fiscal Policies and Procedures, this is Notice of the Execution of Purchase Orders in Excess of \$20,000

The District's Air Monitoring Capital Expenditure budget for fiscal 2001/2002 includes funds for the purchase of 5 ozone analyzers and 2 Aethalometers. The 5 ozone Analyzers were purchased from Teledyne Instruments, Inc. in the amount of \$34,158.51 and 2 Aethalometers were purchased from Magee Scientific, Inc. in the amount of \$30,380.00 .

COMMITTEE REPORTS AND RECOMMENDATIONS

6. Report of the **Legislative Committee** Meeting of March 20, 2002

CHAIR: B. WAGENKNECHT

B. Norton/5052
exec@baaqmd.gov

Action: Consider Approval of Committee recommendations on the following legislation:

<i>Bill</i>	<i>Brief Description</i>	<i>Staff Recommendation</i>
AB 2461 (Keeley)	Extends registration fee equivalency for alternative fuel vehicles.	Support
AB 2486 (Keeley)	Funds Environmental Circuit Prosecutor Project.	Support
AB 2682 (Chu)	California Clean Communities and Petroleum Cleanup Act of 2002.	Support
SB 1555 (Torlakson)	Establishes Pedestrian and Bicyclist Mobility and Safety Fund.	Support
SB 1994 (Soto)	California Clean Communities and Petroleum Cleanup Act of 2002.	Support
SB 1827 (Torlakson)	Requires BAAQMD to give TFCA funds for free transit on Spare-the-Air days, regardless of project cost-effectiveness.	Oppose

7. Report of the **Personnel Committee** Meeting of March 29, 2002

CHAIR: D. MOSSAR

B. Norton/5052
exec@baaqmd.gov

Action: Consider Approval of Committee recommendations to appoint Public members and Public member alternates to the District Hearing Board effective April 3, 2002.

PRESENTATION

8. Air Toxic Program Report

B. deBoisblanc/4704
bdeboisblanc@baaqmd.gov

Since 1987, the District has had a program to describe and control public exposure to toxic air contaminants. District staff will provide a status report on this program.

9. Smart Growth Strategy/Livability Footprint Project Status Report

T. Perardi/4667
tperardi@baaqmd.gov

Five regional agencies and the Bay Area Alliance for Sustainable Development have embarked on the Smart Growth Strategy/Regional Livability Footprint Project. Public workshops were held in autumn 2001, and a second round will be held in April and May 2002. ABAG staff will provide a status report on the project.

OTHER BUSINESS

10. Report of the CEO/Executive Secretary
11. Report of the Air Pollution Control Officer
12. Chairperson's Report

CLOSED SESSION

13. Consider Appointment of Acting District Counsel
(Government Code § 54957)

B. Norton/5052

exec@baaqmd.gov

The Board will Consider Appointment of Acting District Counsel.

14. Conference with Legal Counsel

Existing Litigation (Government Code § 54956.9(a))

Our Children's Earth Foundation v. Bay Area AQMD and Ellen Garvey, SF Superior Court and No. CPF-02-500595; and Alvin J. Greenberg, Ph. D. Bay Area AQMD, et al., United States district Court, N.D. Cal., Case No. C 02 1501 VRW

OPEN SESSION

15. Consideration of Terms and Condition of Employment for Acting District Counsel
The Board will consider approval of employment agreement for the Acting District Counsel.
16. Board Members' Comments
Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may; ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)
17. Place of Next Meeting - 9:30 a.m., Wednesday, April 17, 2002 939 Ellis Street, San Francisco, CA 94109
18. Adjournment

EG:mag